

COUNCIL MINUTES
TIGARD CITY COUNCIL MEETING
April 12, 2005

Mayor Dirksen called the meeting to order at 6:30 p.m.

Council Present: Mayor Dirksen; Councilors Harding, Sherwood, Wilson, and Woodruff

- STUDY SESSION

- > REVIEW OF THE CITY COUNCIL BUDGET

Interim City Manager Prosser commented this budget would normally have been presented to the Council in time to make adjustments before the proposed budget document was prepared, but this did not occur this year. Assistant to the City Manager Newton added the city administration budget, which encompasses the Council's budget, would be one of the first to be considered by the Budget Committee and changes could be made at this point in the process.

Ms. Newton distributed and discussed the Council's proposed FY 2005-06 budget. These materials are on file in the City Recorder's office. Ms. Newton summarized the information contained in her memo dated April 4, 2005. She directed the Council's attention to budget items related to materials and services. Ms. Newton pointed out account 613000 would be impacted by the Citizen Leadership Series. She also noted the budget for Council meals would need to increase if all five Councilors wished to have pre-meeting meals.

Councilor Woodruff confirmed the Council's projected FY 2004-05 budget is \$107,602 and the proposed FY 2005-06 budget is \$107,083.

Mayor Dirksen proposed the Council consider attending the March National League of Cities Conference held in Washington, D.C. as opposed to the December conference in Charlotte. He asserted this would give the Council an opportunity to meet with representatives of the federal government. While noting budgetary constraints, the Mayor added, in the past, it was beneficial for the entire Council to attend the conference. Although the proposed budget shows three Councilors will attend the conference, Ms. Newton said she would provide the Council with costs for four and all five Councilors to attend.

Councilor Harding inquired about the cost of conference attendance for organization members versus non-members.

Ms. Newton said she would provide the Council with further information in their Friday newsletter.

> REVIEW OF BUDGET REQUEST FOR TOWN HALL AUDIO/VISUAL

Assistant to the City Manager Newton summarized the highlights of a memo from Network Technician/Civic Studio Producer-Director Myers regarding proposed improvements to the Civic Studio. Ms. Newton explained the improvements were designed to make the room more user- and audience-friendly. The improvements would include: an upgrade to the audio system (including two wireless microphones), a PowerPoint screen displayed on the wall above the Council for audience viewing, and flat screen displays for the Council to view what is being aired on television.

Ms. Newton advised the bid for the improvements is \$84,000. She suggested some of the \$56,000 rebate anticipated from the Metro Area Communications Commission (MACC) could be used for this project.

There was a brief discussion of the following items related to the improvements:

- Lighting
- Accommodating overflow crowds
- Transportability to other city facilities
- Interfaced audio and video

In response to a question from Councilor Woodruff, Mr. Myers stated once the project is approved, the design would take approximately 12 weeks and construction another 4 to 6 weeks. Mr. Prosser added the work would probably be completed next fall.

In response to an inquiry from Councilor Harding, Mr. Prosser affirmed the city's purchasing rules would be followed when selecting the contractor for the project.

> DISCUSSION OF THE CITY MANAGER RECRUITMENT PROCESS

Human Resources Director Zodrow distributed three handouts on:

- The selection process – questions for the Council
- Ideas for possible supplemental questions/video presentation
- Timeline

These documents are on file in the City Recorder's office.

Ms. Zodrow described recruitment efforts and various options related to the recruitment process. Direct recruitment and the possibility of hiring a search firm were also discussed.

Councilor Woodruff suggested the human resources department screen the applications. Ms. Zodrow said she would provide the Council with applications from all the applicants and would indicate her department's initial selections.

The Council indicated they wished to include a second screening phase (supplemental questions and video tapes) and an assessment center as part of the recruitment process.

The Council reviewed the proposed supplemental questions. Councilor Sherwood said she liked question number 5 related to economic development and urban revitalization. Councilor Harding proposed adding a question asking the applicants to describe something negative that occurred in their city/business/organization and how they resolved the issue.

After discussion, the Council opted for the following assessment center exercises:

- Mock City Council meeting/presentation
- Written exercise
- Oral interview panel

Councilor Woodruff suggested the assessment center be scheduled for July 5 and 6.

> ADMINISTRATIVE ITEMS

- Mayor's Agenda was distributed. A copy of this agenda is on file in the City Recorder's office.
- Councilor Harding indicated she could attend the dinner with the Indonesian delegation.
- Discussion of the "Fifth Tuesday" meeting follow-up process
Interim City Manager Prosser proposed follow-up from the Fifth Tuesday meeting be scheduled for discussion at the next City Council meeting in order to inform the public and clarify the Council's expectations regarding follow-up. Mayor Dirksen suggested Councilors meet at the close of the Fifth Tuesday meeting to identify issues requiring a response from the city.

Mr. Prosser suggested either the meetings be recorded or the Deputy City Recorder attend meetings and take minutes. Councilor Sherwood and Mayor Dirksen indicated they did not want this level of formality; they wanted to keep the meeting casual.

Mr. Prosser handed out two sets of notes related to the March 29 Fifth Tuesday meeting. City Attorney Ramis explained minutes of the meeting were required, although they did not need to be detailed.

Study Session recessed at 7:23 p.m.

- EXECUTIVE SESSION: The Tigard City Council went into Executive Session at 7:23 p.m. to discuss labor negotiations under ORS 192.660(2)(d).

Executive Session recessed at 7:32 p.m.
Study Session reconvened at 7:32 p.m.

- > ADMINISTRATIVE ITEMS continued
 - Council briefly discussed the process for removing items from the consent agenda.
 - The Mayor and Councilors Sherwood and Harding indicated they planned to attend the reception for the Tigard-Tualatin School District Superintendent finalist.
 - Community Development Director Hendryx distributed Downtown Task Force packets. A packet is on file in the City Recorder's office.

The Study Session concluded at 7:35 p.m.

1. BUSINESS MEETING

- 1.1 Mayor Dirksen called City Council & Local Contract Review Board to order at 7:42 p.m.
- 1.2 Council Present: Mayor Dirksen; Councilors Harding, Sherwood, Wilson, and Woodruff.
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports: None.
- 1.5 Call to Council and Staff for Non-Agenda Items: None.

2. PROCLAMATION

- Mayor Dirksen proclaimed April 29, 2005 as Arbor Day

3. CITIZEN COMMUNICATION

- Mayor Dirksen noted Nikki Pham was not present.
- Alice Ellis Gaut, 10947 SW Chateau Lane, Tigard, advised the Council Earth Day is slated for April 22. Ms. Ellis Gaut relayed decisions made today will have far-reaching impacts, adding every road cut, creek crossing, paved surface, roof top, parking lot and building destroys and displaces other beings. She described the diverse resources of the area's watershed and advocated for wise and gentle stewardship of the land. She reported this will be the 35th year Earth Day will be celebrated.
- Lisa Hamilton Treick, 13565 SW Beef Bend Road, Tigard, addressed the Council's recruitment of a city manager. She suggested the Council seek someone with the following skills/priorities/experience:
 - Fresh perspective
 - Vision
 - Public relations
 - Appreciation of the environment
 - Public involvement
 - Relationship building
 - Parks and open spaces
 - Master planning/long-range visioning
 - Economic development
 - Transportation solutions

Mayor Dirksen commented the city had already received approximately 20 applications and there appeared to be some well-qualified applicants.

- Gretchen Buehner, 13249 SW 136th Place, Tigard, asked the Council to revisit a nuisance issue on a commercial property west of Grant Street, fronting Tigard Street and abutting Fanno Creek. She noted it has been a year since the nuisance was identified. Although some of the rusting and broken-down equipment was removed, some debris still exists. She asked if the Council could give a "gentle reminder" to get the remainder of the trash removed.

Ms. Buehner also advised Council meetings held in the library community room are very difficult to hear. She suggested use of microphones and a sound system.

The Council indicated there were microphones in the community room and they would look into improving the sound quality for future meetings.

Interim City Manager Prosser stated he would report her complaint to code compliance for action.

- > Mayor Dirksen initiated a discussion of follow-up from the Council's March 29 "Fifth Tuesday" meeting. The following list of topics, along with direction regarding the Council's expectation for a response or follow-up, is listed in the table below.

Topic	Response/Follow-up
Construction noise/dirt/dust/mud/safety	It was noted construction activity was conducted within code requirements, without a code change nothing can be done.
Tax inequities	No follow-up needed.
Private property concerns/continuing enforcement issue	The Council directed staff not to grant any further extensions.
Access to records in the permit center	Mr. Prosser is looking at ways to improve access while still safeguarding city records. The Mayor indicated the city would work to make the process better.
Development projects on web site no current	Mr. Prosser indicated the web site would be up-to-date next week.
School funding	No follow-up needed – directed to state legislators.
Citizen input process regarding the creation of an e-mail list	Mr. Prosser indicated the city is working on this item.
Protection of natural resources	No follow-up needed.
City purchase wetlands to own and protect	No follow-up needed.

Councilor Woodruff commented the Fifth Tuesday meeting went well and there was an excellent turn-out. He added the next Fifth Tuesday meeting will be on May 31. He informed the audience issues brought up at the Fifth Tuesday meetings would be discussed at the next regular Council meeting to provide responses and identify follow-up needed for each topic.

Mr. Prosser mentioned a previous inquiry from Mr. Burgess regarding a request to use the niche for storage. He confirmed the question had been addressed during that meeting.

Ms. Buehner (see citizen communication above) said the Council's special meeting with the Tualatin Council and the Tigard-Tualatin School District conflicted with a Planning Commission meeting. It was noted such meetings are scheduled in conjunction with the outside participants and this doesn't allow for much flexibility when selecting a meeting date.

4. CONSENT AGENDA

Councilor Harding requested item 4.1, the February 15 minutes, and LCRB item 4.7c., a contract for slope stabilization at Quail Hollow subdivision, be removed from the consent agenda for separate consideration. Councilor Harding described some of her concerns regarding the slope stabilization project.

Councilor Sherwood cited Council rules and noted Councilors were to provide 24 hour advance notice to remove items from the consent agenda.

Councilor Harding moved to remove items 4.1 and 4.7c. from the consent agenda. The motion received no second and died. The items remained on the consent agenda.

Councilor Sherwood advised she did not attend the February 15, 2005 meeting, but the minutes indicated she was present. She requested the February 15 minutes be corrected to reflect her absence.

- 4.1 Approve Council Minutes for February 15 and 22, 2005
- 4.2 Receive and File:
 - a. Council Calendar
 - b. Tentative Agenda
- 4.3 Adopt a Resolution Authorizing the City Manager to Submit to OPRD an Application for State Funds Available through the State of Oregon's Lottery Local Government Grant Program as a Means for Providing Matching Funds to Construct the Jim Griffith Memorial Skate Park – Resolution No. 05 - 22

RESOLUTION NO. 05 - 22 – A RESOLUTION AUTHORIZING THE SUBMITTAL TO THE OREGON PARK AND RECREATION DEPARTMENT (OPRD) OF AN APPLICATION FOR STATE FUNDS AVAILABLE THROUGH THE STATE OF OREGON'S LOTTERY LOCAL GOVERNMENT GRANT PROGRAM AS A MEANS FOR PROVIDING MATCHING FUNDS TO CONSTRUCT THE JIM GRIFFITH MEMORIAL SKATE PARK.

- 4.4 Approve the Issuance of a Request for Proposal for an Urban Renewal Public Outreach Program
- 4.5 Approve the Issuance of a Request for Proposal for Urban Renewal

- 4.6 Adopt a Resolution Approving the Use of MSTIP 3 Bike and Pedestrian Program Funds for the Tualatin River Pedestrian/Bike Bridge Project – Resolution No. 05 – 23

RESOLUTION NO. 05 - 23 – A RESOLUTION APPROVING USE OF THE CITY OF TIGARD'S ALLOCATION OF WASHINGTON COUNTY'S MSTIP 3 BIKE AND PEDESTRIAN PROGRAM FUNDS FOR THE TUALATIN RIVER PEDESTRIAN/BIKE BRIDGE PROJECT.

- 4.7 Local Contract Review Board:
- a. Award a Contract for the Construction of the SW O'Mara and Edgewood Streets Sanitary Sewer (Sewer Reimbursement District No. 31) to MJ Hughes Construction Inc.
 - b. Award a Contract for the Construction of the SW 117th Avenue Sanitary Sewer (Sewer Reimbursement District No. 34) to CR Woods Trucking, Inc.
 - c. Award a Contract for Slope Stabilization at Quail Hollow Subdivision to Elting, Inc.
 - d. Award a Contract for Stream Enhancement and Restoration Services to Ash Creek Forest Management, LLC, Henderson Land Services, LLC, and Harris Stream Services

Motion by Councilor Sherwood, seconded by Councilor Wilson, to approve the consent agenda, including the February 15 minutes as amended.

The motion was approved by a majority vote:

Mayor Dirksen	-	Yes
Councilor Harding	-	No
Councilor Sherwood	-	Yes
Councilor Wilson	-	Yes
Councilor Woodruff	-	Yes

Councilor Harding stated she hadn't seen the 24 hour advance notice in writing and was unaware of the rule. She added she devoted much of her personal time to Council-related meetings and other business.

5. INTRODUCTION AND WELCOME OF THE DELEGATION FROM BALIKPAPAN AND SAMARINDA, INDONESIA

Public Works Director Koellermeier introduced the delegation. A member of the delegation related the group was learning about water-related systems, supply and technology.

Mayor Dirksen and the delegates exchanged gifts and the Mayor presented each delegate with a certificate of acknowledgement. The delegation's interpreters were also recognized.

6. PRESENTATION ON TIGARD'S WATER SUPPLY OPTIONS

Public Works Director Koellermeier introduced Mr. Uber, a consultant with Murray, Smith & Associates, Inc. Both Mr. Uber and Mr. Koellermeier gave a PowerPoint presentation updating the Council on the history and status of the city's long-term water supply. The PowerPoint presentation is on file in the City Recorder's office.

Tigard is required to take 62% of its water from the City of Portland.

Given the dry year, Mr. Koellermeier reported he has reserved 114% of the water he anticipates Tigard will need for fiscal year 2005-2006. This is reflected as "Option 2" on the Water Purchase Options slide.

Mr. Uber noted the city's Aquifer Storage and Recovery (ASR) program is essential to address "peaking" water demand. He explained the first well in the city's aquifer storage and recovery program can yield a million gallons per day and once online, another 2.5 million gallons per day can be expected from the well currently under construction.

- **City of Portland Supply**
Mr. Uber explained Tigard was in the midst of water negotiations with the City of Portland. Portland currently operates under a waiver which enables it to avoid water treatment. It is unknown whether this waiver will be renewed. If not renewed, Portland will be forced to filter its water and a treatment plant will be needed. As a Portland water purchaser, Tigard would be expected to pay for a portion of the treatment facility. Mr. Uber added under the current negotiations, Tigard's role would only be as a wholesale water purchaser and ownership in the Portland water system was unlikely. This means costs could not be passed along as system development charges (SDCs).
- **Clackamas River Supply**
Mr. Uber noted Tigard used to get a significant amount of water from the City of Lake Oswego and this supply option is being revisited. The existing pump station has the capability to provide up to 8 million gallons of water per day. Preliminary discussions have taken place and issues such as water rights, availability, cost and ownership are slated to be explored next. In response to a question from Mayor Dirksen, Mr. Koellermeier explained if this option were pursued, Tigard should be able to obtain ownership in this water system, assuming a capital outlay be required. Such ownership would mean costs could be addressed through SDCs, and would not have to be passed

along to existing consumers in their water rates. In short, growth would pay for growth when SDCs can be implemented.

- Joint Water Commission

The city is currently purchasing water, via the City of Beaverton, through the Joint Water Commission. The city is also working with the commission by:

- Participating in studies to evaluate the feasibility of raising Scoggins Dam
- Completing major piping improvements
- Evaluating treatment plan expansion
- Piping and reservoir improvements

The outlook of this future water supply is dependent on the progress of the studies currently taking place.

If this option is deemed feasible, it is anticipated the city would have ownership in the system and SDCs could be collected.

- Willamette River

Mr. Uber explained the City of Tigard, as a participant in the Willamette River Supply Commission, has a water right of 20 million gallons. He added should the city pursue this option, equity ownership would be anticipated and costs could be addressed through SDCs.

Mr. Uber commented on the success and importance of ASRs in the city's water management. He advised ASR allows the city to store surplus water it has purchased.

Mr. Uber summarized the conceptual capital costs and water costs associated with the various options. Overall, the Willamette is estimated to be the least expensive source. In response to an inquiry from Councilor Harding, who indicated Willamette River customers have higher water bills, Mr. Uber stated these customers are paying for water and the cost of financing the treatment plant. Mr. Koellermeier added the Willamette River financing costs are based on 20 year bonds. Scenarios in the Tigard analysis are based on a 25 year repayment schedule of capital costs. After 25 years, these costs would drop off, although new capital needs may arise.

Mr. Koellermeier talked about previous criteria used to evaluate long-term water supply options. He advised the Portland option does not include any type of ownership in the system. If ownership is deemed an important issue, then the Portland option becomes much less desirable.

Mr. Koellermeier remarked many other cities are in similar situations related to securing a long-term water supply. He stated all the water sources under consideration are adequate in terms of supply. However, all the sources are

relatively distant from Tigard and transmission costs become the critical factor. The more cities that participate in any single option, and therefore share capital costs, the lower the cost will be for Tigard. Mr. Koellermeier noted the scenarios in the presentation assumed there would be cooperation and cost sharing among an optimum group of partners.

Mr. Koellermeier summarized the city's "next steps" and asked for questions.

Mayor Dirksen asked if Councilor Woodruff, the Council's water liaison, would like to comment. Councilor Woodruff remarked on the complexity of securing a long-term water supply for the city. He added many municipalities and jurisdictions are struggling with similar challenges. He asserted most citizens weren't interested in the details of the of how their water gets to the tap, but are simply looking for adequate, pure, good tasting water at an affordable cost. He acknowledged the controversy surrounding the Willamette River option. Councilor Woodruff concurred with Mr. Koellermeier, stating the city needed to keep all options open until it is determined which course of action would be in the best interest of Tigard citizens.

Councilor Wilson inquired if any of the options were ready to go. Mr. Koellermeier responded it would take 3 to 15 years to finalize a long-term water source. Before finalizing any source, he noted the following items would need to be solidified:

- Funding for capital improvements
- Determining partners
- Conducting an election (should the Willamette be the preferred option)

He related cost, criteria and timelines are variables in the process. Mr. Koellermeier noted there were interim solutions until a permanent option is selected and online. Mr. Uber added the Willamette River option was the closest to coming online, as the permitting element had already been completed.

In response to a question from Councilor Sherwood, Mr. Koellermeier indicated the city was entering into a dialogue with Lake Oswego to take a renewed look what water supply options with Lake Oswego might look like. Tigard has an existing wholesale water agreement with Lake Oswego and Lake Oswego has a water surplus. He reported water purchased through this wholesale agreement was more affordable than some of the city's other sources. He continued by saying if the Lake Oswego City Council was interested in supplying water, a feasibility study would be conducted. The Lake Oswego agreement had not been employed for awhile, as Lake Oswego needed time to investigate whether it had adequate water supplies to meet future growth. Lake Oswego has now determined it can meet future water demand and expects surplus water will still be available.

Councilor Woodruff brought up the topic of water conservation. Mr. Koellermeier responded Tigard is the water conservation leader on the Westside. He noted the city has been a strong advocate of conservation. Mayor Dirksen commented Tigard

citizens should be praised for their conservation efforts. He recounted when the city puts out the word that water conservation is needed, the city sees an immediate and significant reduction in water consumption.

Councilor Wilson inquired about a chart which depicts the average consumption remaining fairly constant and while peak consumption increases. Mr. Uber responded the chart was based on past patterns of consumption and pointed out with conservation the low estimate peak consumption actually levels out over time.

Mr. Koellermeier remarked if other communities made a decision regarding their long-term water supply, it was possible this would then limit Tigard's options or force Tigard to make a decision as well.

The Mayor affirmed the Council needed to be prepared to act if such a situation arises. For the foreseeable future, he stated the city needed to keep all options, as well as combinations of options, open.

7. CONSIDER A RESOLUTION DIRECTING THE PREPARATION OF A PRELIMINARY ENGINEER'S REPORT FOR THE PROPOSED SW 79TH AVENUE LOCAL IMPROVEMENT DISTRICT (LID)

City Engineer Duenas gave a PowerPoint presentation on this topic. He explained the project needed to be addressed through as a local improvement district (LID) in order to deal with improvements needed along the entire street. Without the LID, he noted problems with vertical alignment, property acquisition, and compliance with design standards would be difficult to resolve.

As part of the preparation of the report, neighborhood meetings with residents and developers would be conducted.

Mr. Duenas advised modification of the existing design would be needed in order to bring the design up to current Transportation System Plan standards. He relayed this work could be done in-house and this might mean the project could get underway sooner, with some work being done this year.

Mr. Duenas' recommendation was for the Council to continue the LID process by approving the resolution to prepare a preliminary engineer's report and authorizing the Gas Tax Fund as the funding source for the report.

Mr. Duenas advised if the LID is formed, any LID-related costs, including the preliminary engineer's report, would be reimbursable through the LID.

Councilor Woodruff asked how many land owners wanted to participate in the LID. Mr. Duenas responded, with LID going all the way south to Gentlewoods, 47

percent wished to participate. He added the city is working with another property owner regarding inclusion in the LID. If included, the percentage of land owners wishing to participate in the LID would increase from 47 percent to 62 percent.

Deputy City Recorder's Note:

Subsequent to the meeting, it was noted that should the additional land owner be included in the LID, the actual increase would be to 58 percent, not the 62 percent stated at the meeting.

Councilor Sherwood confirmed neighborhood meetings would take place and inquired what happens if neighbors object to the formation of the LID. Mr. Duenas explained two-thirds of the affected property owners would need to remonstrate against the LID in order for it to be removed from consideration. With current numbers, the LID is feasible. He added the developers will end up putting the road improvements in, the question is whether it will be done piecemeal or comprehensively. He asserted it would benefit both the city and the developers to combine the all street improvements into one project through the LID.

Councilor Harding pointed out that the 47 percent figure supporting the LID was made up of only five land owners. She expressed concern over the other 53 percent of property owners who had not supported the LID. She relayed motorists would use the upgraded street as a "pass through" and developers would be the primary beneficiaries of the LID. She added increased traffic may further aggravate property owners opposed to the LID.

Mr. Duenas responded the bulk of the property owners at the north end of the proposed district would be developing their property. He notes there is a huge amount of undeveloped land in this area and emphasized doing the improvements comprehensively.

Councilor Harding stated she was concerned for homeowners that are not in the development business.

Councilor Wilson asserted the city was not subsidizing development; development and street improvements will occur. He reiterated the issue was whether the improvements would be as one cohesive project or done piecemeal.

Mayor Dirksen confirmed the preliminary engineer's report would provide a cost estimate to property owners. Mr. Duenas agreed and explained part of the assessment would be based on square footage and part on who would benefit most from the improvements. Mayor Dirksen verified the major financial burden would fall to properties slated for development.

Mayor Dirksen stated the Council needed to look at the long-term growth of the city. He asserted eventually street improvements will need to be done.

Councilor Harding acknowledged improvements are needed, but said sharing the cost of improvements was an insult to homeowners and taxpayers who were not part of development.

Mayor Dirksen countered the Council often received complaints when development took place before street improvements occurred.

Motion by Councilor Wilson, seconded by Councilor Sherwood, to adopt Resolution No. 05 – 24

Resolution No. 05 - 24 - A RESOLUTION DIRECTING THE ENGINEERING STAFF TO PREPARE A PRELIMINARY ENGINEER'S REPORT FOR THE PROPOSED SW 79TH AVENUE LOCAL IMPROVEMENT DISTRICT AND DIRECTING THE ESTABLISHMENT OF A FUNDING MECHANISM FOR THE PREPARATION OF THE REPORT.

The resolution was approved by a majority vote:

Mayor Dirksen	-	Yes
Councilor Harding	-	No
Councilor Sherwood	-	Yes
Councilor Wilson	-	Yes
Councilor Woodruff	-	Yes

8. CONSIDER A RESOLUTION APPROVING BUDGET AMENDMENT #12 TO THE FY 2004-05 BUDGET TO INCREASE APPROPRIATIONS IN THE GAS TAX FUND FOR THE 79TH AVENUE LOCAL IMPROVEMENT DISTRICT (LID)

Interim Finance Director Imdieke explained this was the companion item to establish funding for the preliminary engineer's report approved in item #7. He said if the LID is formed and the project is completed, the cost of the report would be included in the assessment to property owners and the Gas Tax Fund would be reimbursed.

Motion by Councilor Sherwood, seconded by Councilor Wilson, to adopt Resolution No. 05 - 25.

RESOLUTION NO. 05 - 25 – A RESOLUTION APPROVING BUDGET AMENDMENT #12 TO THE FY 2004-05 BUDGET TO INCREASE APPROPRIATIONS IN THE GAS TAX FUND FOR THE 79TH AVE LID.

The motion was approved by a majority vote:

Mayor Dirksen	-	Yes
Councilor Harding	-	No
Councilor Sherwood	-	Yes
Councilor Wilson	-	Yes
Councilor Woodruff	-	Yes

9. CONSIDER A RESOLUTION GRANTING AN EXEMPTION FROM PROPERTY TAXES UNDER TIGARD MUNICIPAL CODE SECTION 3.50 FOR THREE NON PROFIT LOW INCOME HOUSING PROJECTS OWNED AND OPERATED BY COMMUNITY PARTNERS FOR AFFORDABLE HOUSING AND ONE HOUSING PROJECT OPERATED BY TUALATIN VALLEY HOUSING PARTNERS

Interim Finance Director Imdieke indicated both Community Partners for Affordable Housing (CPAH) and Tualatin Valley Housing Partners (TVHP) have met the criteria to be exempted from Tigard property tax. He related approval of TVHP application is contingent on the organization becoming the Managing General Partner of the housing complex before July 1.

Mr. Imdieke introduced Martin Soloway from CPAH and Tom Benjamin from TVHP.

Councilor Woodruff asked Mr. Soloway and Mr. Benjamin to describe how the property tax exemption affects their operations. Mr. Soloway responded any decrease in operating costs directly benefits tenants in the form of lower rent. He noted CPAH was just about to begin a 2.5 million dollar investment for improvements to the Greenburg Oaks Apartments.

Mr. Benjamin explained his organization had established its rental rates with the tax exemption in place. He said Hawthorne Villa has experienced financial difficulty and, in effect, his organization was buying a management interest in the property. His agency's directors need to be satisfied the property can be operated economically, without a rent increase. Mr. Benjamin added without the property tax exemption, rent would be increased significantly. This would likely result in displacement of some tenants. Although his agency is pleased with the current on-site operations, he noted his agency eventually hopes to be directly managing the property. He described recent improvements made to the property by the investors and his agency. Without the exemption, his agency would be taking over the property with a \$47,000 deficit.

Mr. Imdieke reported the total cost avoidance for both agencies would be about \$126,000.

Mayor Dirksen reiterated the Council's decision could determine whether the TVHP property actually becomes part of the affordable housing system and is operated as a non-profit facility. Mr. Benjamin concurred with this statement.

Councilor Sherwood expressed her pride in the City of Tigard for taking on the issue of affordable housing a long time ago. She noted many other cities do not offer similar incentives. She noted the severe shortage of affordable housing in the area and said the Council should do what it could to support affordable housing efforts.

Motion by Councilor Wilson, seconded by Councilor Sherwood, to adopt Resolution No. 05-26.

RESOLUTION NO. 05 -26 – A RESOLUTION GRANTING AN EXEMPTION FROM PROPERTY TAXES UNDER TIGARD MUNICIPAL CODE SECTION 3.50 FOR THREE NON PROFIT LOW INCOME HOUSING PROJECTS OWNED AND OPERATED BY COMMUNITY PARTNERS FOR AFFORDABLE HOUSING (CPAH) AND ONE HOUSING PROJECT THAT IS OPERATED BY TUALATIN VALLEY HOUSING PARTNERS (TVHP).

The motion was approved by a unanimous vote:

Mayor Dirksen	-	Yes
Councilor Harding	-	Yes
Councilor Sherwood	-	Yes
Councilor Wilson	-	Yes
Councilor Woodruff	-	Yes

10. DISCUSS THE RENEWAL OF CONTRIBUTION OF FRANCHISE FEES FOR PUBLIC, EDUCATION, AND GOVERNMENT (PEG) ACCESS

Information Technology Director Ehrenfeld introduced this agenda item. He advised the Council needed to consider the Metropolitan Area Communications Commission (MACC) proposed budget for PEG access for next year. Mr. Ehrenfeld explained changes in MACC's funding mechanism were occurring and the proposed budget reduced Tigard's assessment \$6,920.

Mr. Ehrenfeld stated Councilor Harding, who represents the city on MACC, will need to vote on the proposed budget.

Mayor Dirksen commented he and Councilor Harding had met with Bruce Crest from MACC. The Mayor relayed MACC planned to offer a higher level of service, the city would pay less for this service, and MACC would refund some of the money paid in previous years.

Councilor Harding explained a \$1 million reserve had accumulated. She reported MACC is now proposing a fixed budget on an annual basis. She advised MACC did not vote to "shut down" Tualatin Valley Television (TVTV) or programming. She declared her support of First Amendment rights. She said existing television shows will be retained and most of the TVTV staff will be working with MACC.

Councilor Harding pointed out all MACC jurisdictions needed to agree on the proposed budget.

The Council expressed support for the proposed budget and encouraged Councilor Harding to vote in favor of the MACC proposal.

11. REVIEW BRANDING SOLICITATION LETTER

Assistant to the City Manager Newton summarized changes made to a draft graphic identity/branding solicitation letter. Materials for this item were distributed in the Council's Friday newsletter and are on file in the City Recorder's office.

Councilor Wilson mentioned a discipline called "environmental graphics," which deals specifically with sign graphics. He noted materials, fabrication techniques, and designing something to be viewed from a distance would be within the scope of environmental graphics. This emphasis differs from print graphics. Councilor Wilson stated he wanted to call attention to this discipline and suggested the Council may wish to draw on this type expertise.

Councilor Wilson expressed some concern about asking for "free" design work and also suggested the Council not limit itself to local agencies. Councilor Woodruff explained Council had discussed asking respondents for free work, and the Council had decided they definitely wanted respondents to show them some ideas. Councilor Wilson remarked this requirement might result in more professional individuals/agencies not responding to the letter, as they would be unlikely to work on a design without actually landing the project.

A two-prong approach was proposed. First, the Council will work on the print-type graphics associated with the logo and second, environmental graphics will be explored.

Ms. Newton stated she would make adjustments to the letter based upon the Council's comments.

12. COUNCIL LIAISON REPORTS

Councilor Woodruff mentioned he attended the Park and Recreation Advisory Board meeting the previous night to follow-up on Fifth Tuesday meeting topics.

Mayor Dirksen reported he had attended an Ash Avenue Neighborhood Meeting regarding the Downtown Improvement Plan. He relayed the group's response to crossing Fanno Creek was not as negative and some attendees expressed dismay that the street extension was being removed from consideration.

13. NON AGENDA ITEMS: None.

14. EXECUTIVE SESSION: No executive session was held.


15. ADJOURNMENT

Motion by Councilor Woodruff, seconded by Councilor Sherwood, to adjourn the meeting.

The motion was approved by a unanimous vote:

Mayor Dirksen	-	Yes
Councilor Harding	-	Yes
Councilor Sherwood	-	Yes
Councilor Wilson	-	Yes
Councilor Woodruff	-	Yes

The meeting adjourned at 9:53 p.m.


Greer A. Gaston, Deputy City Recorder

Attest:



Mayor, City of Tigard

Date: 5-24-05

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